

YOUNG CONAWAY STARGATT & TAYLOR, LLP

BEN T. CASTLE
SHELDON N. SANDLER
RICHARD A. LEVINE
RICHARD A. ZAPPA
FREDERICK W. LOBST
RICHARD H. MORSE
DAVID C. MCBRIDE
JOSEPH M. NICHOLSON
CRAIG A. KARSNITZ
BARRY M. WILLOUGHBY
JOSY W. INGERSOLL
ANTHONY G. FLYNN
JEROME K. GROSSMAN
EUGENE A. DI PRINZIO
JAMES L. PATTON, JR.
ROBERT L. THOMAS
WILLIAM D. JOHNSTON
TIMOTHY J. SNYDER
BRUCE L. SILVERSTEIN
WILLIAM W. BOWSER
LARRY J. TARABICOS
RICHARD A. DILIBERTO, JR.
MELANIE K. SHARP
CASSANDRA F. ROBERTS
RICHARD J.A. POPPER
TERESA A. CHEEK

NEILLI MULLEN WALSH
JANET Z. CHARLTON
ROBERT S. BRADY
JOEL A. WAITE
BRENT C. SHAFFER
DANIEL P. JOHNSON
CRAIG D. GREAR
TIMOTHY JAY HOUSEAL
MARTIN S. LESSNER
PAULINE K. MORGAN
C. BARR FLINN
NATALIE WOLF
LISA B. GOODMAN
JOHN W. SHAW
JAMES P. HUGHES, JR.
EDWIN J. HARRON
MICHAEL R. NESTOR
MAUREEN D. LUKE
ROLIN P. BISSELL
SCOTT A. HOLT
JOHN T. DORSEY
M. BLAKE CLEARY
CHRISTIAN DOUGLAS WRIGHT
DANIELLE GIBBS
JOHN J. PASCHETTO
NORMAN M. POWELL

THE BRANDYWINE BUILDING
1000 WEST STREET, 17TH FLOOR
WILMINGTON, DELAWARE 19801

P.O. BOX 391
WILMINGTON, DELAWARE 19899-0391

(302) 571-6600
(800) 253-2234 (DE ONLY)
FAX: (302) 571-1253

110 WEST PINE STREET
P.O. BOX 594
GEORGETOWN, DELAWARE 19947
(302) 856-3571

(800) 255-2234 (DE ONLY)
FAX: (302) 856-9338

WWW.YOUNGCONAWAY.COM

DIRECT DIAL: (302) 571-5008
DIRECT FAX: (302) 576-3476
mdibianca@ycst.com

LISA A. ARMSTRONG
JOSEPH M. BARRY
SEAN M. BEACH
DONALD J. BOWMAN, JR.
TIMOTHY P. CAIRNS
KARA HAMMOND COYLE
MARGARET M. DI BIANCA
MARY F. DUGAN
ERIN EDWARDS
KENNETH J. ENOS
IAN S. FREDERICKS
JAMES J. GALLAGHER
SEAN T. GREECHER
STEPHANIE L. HANSEN
DAWN M. JONES
RICHARD S. JULIE
KAREN E. KELLER
JENNIFER M. KINKUS
EDWARD J. KOSMOWSKI
JOHN C. KUFFEL
KAREN LANTZ

SPECIAL COUNSEL
JOHN D. McLAUGHLIN, JR.
ELENA C. NORMAN
KAREN L. PASCALE
PATRICIA A. WIDDOSS

TIMOTHY E. LENGKEEK
ANDREW A. LUNDGREN
MATTHEW B. LUNN
JOSEPH A. MALTANO
ADRIA B. MARTINELLI
MICHAEL W. McDERMOTT
MARIBETH L. MINELLA
EDMON L. MORTON
D. FON MUTTAMARA-WALKER
JENNIFER R. NOEL
ADAM W. POFF
SETH J. REIDENBERG
SARA BETH A. REYBURN
KRISTEN R. SALVATORE (PA ONLY)
MICHELE SHERRETTA
MONTÉ T. SQUIRE
MICHAEL P. STAFFORD
CHAD S.C. STOVER (SC ONLY)
JOHN E. TRACEY
MARGARET B. WHITEMAN
SHARON M. ZIEG

SENIOR COUNSEL
CURTIS J. CROWTHER

OF COUNSEL
BRUCE M. STARGATT
STUART B. YOUNG
EDWARD B. MAXWELL, 2ND

November 13, 2006

BY E-FILE

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 North King Street
Lock Box 27
Wilmington, DE 19801

Re: Butz v. Lawns Unlimited Ltd. et al
C.A. No. 05-495

Dear Judge Farnan:

On Friday, November 10, 2006, this office was retained to take over representation of Defendants Lawn Unlimited, Ltd. and Edward Fleming in the above-referenced matter. Eric C. Howard, Esquire, of Wilson, Halbrook & Bayard in Georgetown, Delaware has been the named counsel for Defendants until this time. A Notice of Substitution of Counsel will be filed to reflect this change in counsel once received from Mr. Howard. Plaintiff Renee M. Butz continues to represent herself *pro se*.¹

I spoke with Plaintiff yesterday at some length about the status of this case. We agreed that I would write the Court on behalf of both parties to respectfully request a status teleconference. From a brief review of the Docket Report, it appears that the case is not in compliance with the Scheduling Order issued by the Court on August 15, 2006. (D.I. 20).

¹ Plaintiff's Motion for Appointment of Counsel, (D.I. 17), is currently pending.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

November 13, 2006

Page 2

The Scheduling Order set discovery to end on October 17, 2006. Dispositive motions are due Friday, November 17, 2006. On September 27, 2006, Plaintiff noticed the deposition of Defendant Fleming for today, November 13, 2006.

Defendants did not file an Amended Answer to Plaintiff's Amended Complaint, submitted their Rule 26 Initial Disclosures, propounded any formal discovery requests to Plaintiff, responded to Plaintiff's discovery requests, or noticed any depositions before discovery closed last month.

In order to avoid prejudice to all parties, Defendants and Plaintiff jointly request a teleconference with Your Honor to discuss the current status of the case and to determine whether it is appropriate to reopen the discovery period. I have suggested to Plaintiff that a Revised Scheduling Order may be in the best interest of both parties in light of the current situation.

On behalf of both parties, Defendants thank the Court for its consideration of their request. Counsel is available at the Court's convenience should the Court wish to discuss this issue with the parties.

Respectfully submitted,

/s/ Margaret M. DiBianca

Margaret M. DiBianca (#4539)

MDIBI:m

cc: Renee M. Butz (non-registered participant served via U.S. Certified Mail and e-mail)
Eric C. Howard, Esquire (via CM/ECF)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, hereby certify that on November 13, 2006, I electronically filed a true and correct copy of the foregoing **Letter to the Court regarding the Substitution of Counsel and Request for Teleconference** with the Clerk of the Court using CM/ECF which will send notification of such filing to the following: Eric C. Howard, Esquire. I hereby certify that on November 13, 2006, I have mailed by United States Postal Service, Certified Mail, the document to the following non-registered participant:

Renee M. Butz
58 Hickory Drive
North East, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

Margaret M. DiBianca (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
Wilmington, Delaware 19801
Telephone: (302) 571-5008
Facsimile: (302) 576-3476
mdibianca@ycst.com